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June 20, 2023

VIA ECF

Application GRANTED. SO ORDERED.

Dated: June 20, 2023

Hon. Stewart D. Aaron
United States District Court
for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Hobbs v. Knight-Swift Transportation Holdings, Inc., et ano.*
No. 21-CV-01421

Dear Judge Aaron:

We represent Defendants Knight-Swift Transportation Holdings, Inc. and Swift Transportation Co. of Arizona, LLC (together, "Swift") in this matter. We submit this letter jointly with Counsel to Plaintiffs in accordance with the Court's June 13, 2023 Order.

The Parties propose a 60-day period for Plaintiffs to conduct discovery concerning numerosity: August 18, 2023. Should there be any discovery disputes, the Parties propose that they be raised with the Court within 15 days thereafter: September 1, 2023.

With regard to class certification briefing, the Parties propose the following schedule:

- Moving Briefs: October 17, 2023 or 45 days after the Court rules on any discovery disputes raised on or before September 1, 2023, whichever is later;¹
- Opposition Briefs: 45 days after moving briefs are filed;
- Reply Briefs: 21 days after opposition briefs are filed.

As a final matter, the Court previously issued an Order requiring that depositions of Swift's Terminal Leaders and Driver Leaders be completed within 75 days of the Hon. Judge Rochon's issuance of an order resolving the Parties' cross motions regarding class certification. (ECF No. 101). The Parties observe that Judge Rochon's Order of June 13, 2023 denied Plaintiffs' motion for class certification without prejudice, subject to renewal. Accordingly, the Parties request that the date to complete the foregoing depositions be adjourned until a date 75 days after the forthcoming motions regarding class certification are fully resolved.

¹ Swift reserves the right to file an affirmative motion to deny class certification, subject to this proposed briefing schedule.



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We thank the Court for its attention to this issue.

Respectfully submitted,

/s/ Brian D. Murphy

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for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4874-6538-7627.1

cc: All Counsel of Record